

Applicant : DeWall et al.  
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REMARKS/ARGUMENTS

Claims 1-43 remain in the application.

The title has been changed as suggested by the Examiner.

The rejections under Section 112 have been overcome by amendment. Specifically, claim 11 has been made dependent on claim 3 to provide an antecedent for "secondary event trigger," Claim 14 has been amended to positively recite the "event programmer", claim 23 has been amended to provide a verb, and claim 33 and 34 have been made dependent upon claim 32, as suggested by the Examiner.

All of the independent claims 1, 20, 41 and 43 have been amended to clearly distinguish over the references. The Payne et al. '607 patent teaches the selection of anyone of a group of cells, i.e., the total number of cells is divided into groups of cells which may be selected. In contradistinction, the subject invention provides for the individual selection of one cell at a time and independently of any other cell. In Payne, a single cell can not be selected nor can a plurality of cells be individually selected independently of one another. The secondary references do not make up for this deficiency in the Payne et al. '607 patent thereby rendering the claims allowable.

Since this amendment places the application in condition for allowance, the entrance of this amendment is respectfully solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

4/21/03  
Date

  
James R. Yee, Registration No. 34,460  
The Pinehurst Office Center, Suite #101  
39400 Woodward Avenue  
Bloomfield Hills, MI 48304-5151  
(248) 723-0349

**VERSION WITH MARKS TO SHOW CHANGES MADE**

**IN THE TITLE**

The Title has been amended as follows:

**[VIDEO GAMING MACHINE WITH PLAYER CHOSEN CELLS TO BE PLAYED]**  
**GAMING DEVICE THAT ALLOWS PLAYERS TO CHOOSE THE NUMBER OF**  
**CELLS PLAYED AND ADJUSTS THE PROBABILITY OF A SYMBOL APPEARING**  
**BASED ON THE NUMBER OF CELLS CHOSEN**

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Amended) A gaming assembly comprising;  
means for accepting a wager from a player;  
a display [(20)] for displaying one of a plurality of symbols in each of a plurality of cells,  
a random generator for randomly selecting a symbol to be displayed in each of said cells independently of the random selection of a symbol in each of the other cells,  
a game control for controlling a game play in a primary game mode and a secondary even mode[,] for controlling images displayed on the[,] display and detecting the presence of a predetermined winning combination of symbols[,] and for awarding a prize in response to a winning combination, and  
a selector for allowing a player to individually select the number of cells independently on one another to be evaluated by the game control to detect the presence of a winning combination within the selected number of cells.

2. (Amended) An assembly as set forth in claim 1 wherein said plurality of cells includes three rows and three columns of cells and wherein said selector includes a sensor to allow the player to individually select a predetermined number of cells independently of one another.

11. (Amended) An assembly as set forth in claim [+] 3 including, in response to said secondary even trigger, the game control arranged to randomly select one of a plurality of positions and sending an object to one of said positions.

14. (Amended) An assembly as set forth in claim 13 including an [~~wherein said~~] event programmer [~~presents~~] presenting an evaluation station and [~~includes~~] including a transfer device for moving the items through space to said evaluation station.

20. (Amended) A method for playing a game comprising the actions of; a player individually selecting a number of cells independently of one another from a plurality of cells,

    said player placing a wager with respect to said selected number of cells,  
    [~~a random generator~~] randomly selecting[, ~~and the game control~~] and  
    [~~display~~] displaying[;] a symbol in each of said plurality of cells independently of the random selection of a symbol in each of the other cells, and

    [~~the game control~~] awarding a prize to said player in response to a predetermined winning combination of symbols occurring within said selected number of cells[;].

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21. (Amended) A method as set forth in claim 20 including [the game control] triggering a secondary event in response to the occurrence of a secondary event trigger.

23. (Amended) A method as set forth in claim 20 wherein said selecting comprises individually selecting a predetermined number of cells.

24. (Amended) A method as set forth in claim 20 wherein selecting comprises individually selecting said [plurality of cells comprises] nine cells.

25. (Amended) A method as set forth in claim [24] 23 wherein said selecting a number of cells comprises selecting one, three, five, seven or nine cells independently of one another.

27. (Amended) A method as set forth in claim 20 including said random generator changing the probabilistic distribution of symbols for presentation in each of the plurality of cells in response to the said selected number of cells.

33. (Amended) A method as set forth in claim [17] 32 including representing the positions as planets and the object as a space ship.

34. (Amended) A method as set forth in claim [17] 32 including selecting a predetermined number of items.

41. (Amended) A readable according medium recording a control program for playing a video slot machine game on a display and comprising:

a display for displaying one of a plurality of symbols in each of a plurality of cells,

a random generator for randomly selecting a symbol in each of said cells independently of the random selection of a symbol in each of the other cells,

a game control for awarding a prize in response to a predetermined winning combination of symbols,

a selector for allowing a player to individually select a number of cells independently of one another to be evaluated by the game control in determining the presence of a winning combination.

43. (Amended) A method for playing a game, comprising:

presenting a plurality of selectable cells,

individually selecting one or more of said cells independently of one another,

randomly presenting a symbol in said cells,

comparing said symbols in said selected cells with a schedule to determine one of [whether] a winning outcome, a losing outcome, [or] and a bonus outcome [has occurred], and

rewarding credits according to said pay schedule in the event of a winning outcome being determined and ending the game in the event of a losing outcome [being determined] and [or] initiating a bonus event when a bonus outcome is determined.